

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

BRANDON D. MIDKIFF,)
)
Plaintiff,)
)
v.)
)
EQUIFAX INFORMATION)
SERVICES, LLC, TRANSUNION, LLC,)
EXPERIAN INFORMATION)
SOLUTIONS, INC., and NAVIENT)
SOLUTIONS, INC.,)
)
Defendants.)

CASE NO. 1:20-cv-01962-TWP-MJD

DEFENDANT'S PRELIMINARY WITNESS AND EXHIBIT LISTS

Defendant Navient Solutions, LLC f/k/a Navient Solutions, Inc. ("NSL"), by counsel, submits its preliminary list of witnesses who may be called to testify at trial, and exhibits that may be introduced at trial of this matter, other than witnesses and exhibits to be used solely for purposes of impeachment or rebuttal as follows:

WITNESS LIST

1. Brandon D. Midkiff, Plaintiff;
2. Corporate Representative(s) of NSL;
3. Justin Midkiff;
4. Corporate Representative(s) of each Co-Defendant;
5. Any individual(s) listed on any party's initial disclosures or on any witness lists;
6. Individuals identified or referenced in written discovery responses, documents tendered or produced during discovery, deposition testimony and/or deposition exhibits; and

7. Records custodian(s) necessary to authenticate documents.

In the event that it is subsequently determined that other or additional witnesses will be called to testify for NSL other than for purposes of impeachment or rebuttal, Plaintiff will be so advised as required by the applicable rules or court orders. NSL reserves the right to add to, delete from, or otherwise amend the foregoing list of witnesses via supplemental lists or

EXHIBIT LIST

1. Promissory notes;
2. Relevant account records;
3. Relevant correspondence between Plaintiff and NSL;
4. Plaintiff's payment history;
5. Relevant automated consumer dispute verification notices ("ACDVs");
6. NSL's responses to relevant ACDVs;
7. Call recordings for relevant phone calls;
8. Plaintiff's credit reports;
9. Documents relating to Plaintiff's claim for damages;
10. Any documents referenced in any party's initial disclosures or on any exhibit lists;
11. All documents utilized as a deposition exhibit;
12. All documents obtained from a non-party through subpoena;
13. All documents necessary to prove any defenses in this matter;
14. All documents, information, and tangible things tendered or produced in discovery;
15. Any and all other documents, information, and tangible things that may cast doubt upon and/or disprove any element of Plaintiff's claims as to liability and/or damages; and

16. Any and all other documents, information, and tangible things that may support and/or prove any defenses or affirmative defenses.

In the event that it is subsequently determined that other or additional exhibits will be used by NSL, other than for purposes of impeachment or rebuttal, Plaintiff will be so advised as required by the applicable rules or court orders. NSL hereby reserves the right to add to, delete from, or otherwise amend the foregoing list of exhibits, and to present any and all documentary evidence necessary to address or rebut matters put into evidence by Plaintiff at any trial in this case.

Respectfully submitted,

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C

By: /s/ Justin A. Allen

Bonnie L. Martin, IN 20248-18
Justin A. Allen, IN 31204-49
111 Monument Circle, Suite 4600
Indianapolis, IN 46204
Telephone: 317.916.1300
Facsimile: 317.916.9076
bonnie.martin@ogletree.com
justin.allen@ogletree.com

Attorneys for Defendant
Navient Solutions, LLC f/k/a Navient Solutions, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2020, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's ECF system.

Travis W. Cohron, Esq.
CLARK QUINN MOSES SCOTT & GRAHN LLP
qcollins@clarkquinnlaw.com
tcohrn@clarkquinnlaw.com

Evan Rutter, Esq.
Laura K. Rang, Esq.
SCHUCKIT & ASSOCIATES P.C.
erutter@schuckitlaw.com
lrang@schuckitlaw.com

Taylor L. Hunter, Esq.
Leah L. Siegel, Esq.
BARNES & THORNBURG LLP
taylor.hunter@btlaw.com
leah.siegel@btlaw.com

N. Charles Campbell, Esq.
EQUIFAX LEGAL DEPARTMENT
charles.campbell@equifax.com

Allison L. McQueen, Esq.
JONES DAY
amcqueen@jonescday.com

/s/ Justin A. Allen

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